

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANTHONY M. LEE,

Plaintiff,

v.

ORDER

16-cv-524-bbc

HEATH PARSHALL, STEVE HELGESON,
JOHN DOE I and JANE DOE II,

Defendants.

Pro se plaintiff Anthony Lee is proceeding on two claims: (1) defendant Heath Parshall, a police officer for the La Crosse Police Department, used excessive force against him in August 2012, in violation of the Fourth Amendment; and (2) defendant Parshall and an unknown jail staff member or members failed to provide adequate medical care to plaintiff for the injuries he sustained related to the use of force, in violation of the Fourth Amendment. In addition, plaintiff is proceeding against Steve Helgeson, the sheriff for La Crosse County, for the purpose of learning the identities of the unknown defendant or defendants.

The case has been stayed while the court searched for counsel to represent plaintiff, but now Tim Casper of the law firm Murphy Desmond S.C. has volunteered. Casper has taken the case with the understanding that he will serve with no guarantee of compensation for his services.

It is this court's intention that the scope of representation extends to proceedings in

this court only. "Proceedings in this court" include all matters leading up to a final judgment on the merits, the filing of a Notice of Appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit.

Additionally, the court intends the scope of representation to be limited to litigating plaintiff's current claims. It is unnecessary for counsel to file an amended complaint or otherwise relitigate matters already completed. Counsel should focus on doing what is necessary to prepare the case for trial or any possible motions for summary judgment. If counsel believes that he needs to file an amended complaint, he will have to meet the requirements of Fed. R. Civ. P. 15.

Plaintiff should understand that because he is now represented in this case, he may not communicate directly with the court from this point forward. He must work directly with counsel and permit counsel to exercise his professional judgment to determine which matters are appropriate to bring to the court's attention and in what form. Plaintiff does not have the right to require counsel to raise frivolous arguments or to follow every directive he makes. He should be prepared to accept the strategic decisions made by counsel even if he disagrees with some of them. If plaintiff decides at some point not to work with counsel, he is free to end the representation, but he should be aware that it is unlikely that the court will work to recruit another set lawyer to represent him.

If the parties believe that mediation could help resolve their disputes, they may contact the clerk of court, Peter Oppeneer, for assistance.

ORDER

IT IS ORDERED that the clerk of court is directed to set a telephone conference before Magistrate Judge Stephen Crocker to set the schedule for the remainder of the proceedings.

Entered this 21st day of June, 2017.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge